

In the Matter Of:

LEVINS vs HEALTHCARE REVENUE RECOVERY

1:17-CV-00928-RBK-KMW

WILLIAM LEVINS

August 02, 2019



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LEVINS vs HEALTHCARE REVENUE RECOVERY

August 02, 2019

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1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEW JERSEY
3 CASE NO. 1:17-CV-00928-RBK-KMW

4 ELAINE LEVINS and WILLIAM LEVINS,
5 on behalf of themselves and others
similarly situated,

6 Plaintiff(s),

7 vs.

8 HEALTHCARE REVENUE RECOVERY GROUP,
9 LLC, d/b/a ARS ACCOUNT RESOLUTION
SERVICES,

10 Defendant(s).

11

12 DEPOSITION UNDER ORAL EXAMINATION OF

13

 WILLIAM LEVINS

14

 DATE: August 2, 2019

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 REPORTED BY: MICHAEL FRIEDMAN, CCR

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2

1 TRANSCRIPT of the deposition of the
2 witness, called for Oral Examination in the
3 above-captioned matter, said deposition being taken
4 by and before MICHAEL FRIEDMAN, a Notary Public and
5 Certified Court Reporter of the State of New Jersey,
6 at ANDREW B. FINBERG, 525 Route 73, Marlton, New
7 Jersey, on August 2, 2019, commencing at
8 approximately 2:40 in the afternoon.

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August 02, 2019

3

1 A P P E A R A N C E S:

2 L/O ANDREW B. FINBERG
3 525 Route 73 South
Marlton, NJ 08053
4 BY: DANIEL A. FRISCHBERG, ESQ.
Attorneys for Plaintiffs

5 STERN THOMASSON
6 150 Morris Avenue
Springfield, NJ 07081
7 BY: PHILIP D. STERN, ESQ.
Attorneys for Plaintiffs

8

9 MARKS, O'NEILL, O'BRIEN, DOHERTY & KELLY
535 Route 38 East
10 Cherry Hill, NJ 08002
BY: CHRISTIAN M. SCHEUERMAN, ESQ.
11 Attorneys for Defendants

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WILLIAM LEVINS
LEVINS vs HEALTHCARE REVENUE RECOVERY

August 02, 2019

4

1	I N D E X	
2	WITNESS NAME	PAGE
3	WILLIAM LEVINS	
4	By Mr. Scheuerman	6
5		
6		
7		
8		
9		
10	E X H I B I T S	

11	EXHIBIT NO.	PAGE
12	(None marked.)	
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WILLIAM LEVINS
LEVINS vs HEALTHCARE REVENUE RECOVERY

August 02, 2019

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- - -

2

Deposition Support Index

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- - -

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5 Direction to Witness Not to Answer

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Page Line Page Line Page Line

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None

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Request for Production of Documents

10

Page Line Page Line Page Line

11

None

12

13

Stipulations

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Page Line Page Line Page Line

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None

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Questions Marked

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Page Line Page Line Page Line

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None

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WILLIAM LEVINS
LEVINS vs HEALTHCARE REVENUE RECOVERY

August 02, 2019

6

1 W I L L I A M L E V I N S ,
2 84 Lincoln Drive, Laurel Springs, New
3 Jersey, called as a witness, having been first duly
4 sworn according to law, testifies as follows:

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6
7

8 EXAMINATION BY MR. SCHEUERMAN:

9 Q Mr. Levins, hi. I'm Christian
10 Scheuerman. Nice to meet you.

11 A Likewise.

12 Q Were you ever deposed before?

13 A No.

14 Q This is a question-and-answer
15 period. All your responses need to be oral.

16 We have a court reporter taking
17 down your answers. You're nodding your head
18 at me.

19 A I understand.

20 Q Yes, no, and even if you know the
21 answer before I finish asking the question,
22 just please allow me to finish so we can have
23 a clean record.

24 Have you had an adequate time to
25 speak to counsel before the deposition?

WILLIAM LEVINS
LEVINS vs HEALTHCARE REVENUE RECOVERY

August 02, 2019

7

1 A Yes.

2 Q Okay. And as we go along in the
3 deposition, if something jogs your memory and
4 you want to go back and change an answer, we
5 can, just let me know.

6 We can go back and change whatever
7 answer you want.

8 Do you understand?

9 A Understood.

10 Q Are you under the influence of any
11 drugs or alcohol?

12 A No.

13 Q Is there anything in your mind that
14 would prevent you from participating in this
15 deposition today?

16 A No.

17 Q Do you have any questions of me?

18 A No.

19 Q I'm going to show you what's been
20 marked P-2. And first I'm going to show you
21 the last page.

22 Is that your signature?

23 A What am I looking at?

24 Q Just, my first question, is that
25 your signature?

WILLIAM LEVINS
LEVINS vs HEALTHCARE REVENUE RECOVERY

August 02, 2019

8

1 A It appears to be my signature, yes.

2 Q Is there a doubt it's your
3 signature?

4 A I don't know what I'm looking at so
5 what am I looking at?

6 Q You're looking at a document called
7 plaintiff's responses --

8 A I can confirm that is my signature,
9 yes.

10 Q You can look at any -- take your
11 time to review the whole document if you
12 want, but I'm going to direct you to
13 questions 20 and 21.

14 MR. STERN: Do you have copies for
15 counsel?

16 MR. SCHEUERMAN: I have one copy.

17 A (Witness reviewing.)

18 MR. STERN: Which one were you
19 directing him to?

20 MR. SCHEUERMAN: Twenty.

21 Q Okay. Did you take a look at it?

22 A Yes.

23 Q Did you review those responses
24 before you signed them?

25 A Yes.

WILLIAM LEVINS
LEVINS vs HEALTHCARE REVENUE RECOVERY

August 02, 2019

9

1 Q Okay. And as to question to 20, as
2 you sit here today do you have any additional
3 facts to support your response to question
4 20?

5 A Today, no.

6 Q Okay. And in other words, other
7 than what is there, are there any additional
8 facts that you know of that's not in your
9 answer?

10 MR. STERN: Objection to form. If
11 I state an objection, you can still
12 answer unless I direct you not to
13 answer.

14 A I understand. But yeah, that
15 was -- can you be more specific with your
16 question?

17 Q Yes. There's a response, there's
18 question 20 and there's a response.

19 My question is, do you have any
20 additional facts in response to the question?

21 A I believe I already answered no.

22 Q Okay. And same question for number
23 21, if you want to take the time to read it,
24 both the question and then the response, and
25 then my question is, it's the same, do you

WILLIAM LEVINS
LEVINS vs HEALTHCARE REVENUE RECOVERY

August 02, 2019

10

1 have any additional facts in response to this
2 question.

3 A (Witness reviewing.)

4 MR. STERN: Same objection.

5 A I would say no.

6 Q Okay. Did you listen to the voice
7 mail message in this case?

8 A Which voice mail?

9 Q How many did you receive?

10 A I don't recall.

11 Q Did you receive -- did you listen
12 to any voice mail messages that you received
13 from the defendant?

14 A I actually don't remember.

15 Q Okay.

16 A Unlikely.

17 Q Okay. Do you have any idea when
18 Account Resolution Services began operations?

19 MR. STERN: Objection to form.

20 A Can you repeat that.

21 Q Do you have any idea when Account
22 Resolution Services began operations?

23 A As in started as a company?

24 Q Yes.

25 A No idea.

WILLIAM LEVINS
LEVINS vs HEALTHCARE REVENUE RECOVERY

August 02, 2019

11

1 Q And do you have any knowledge of
2 what abbreviation, if any, ARS Account
3 Resolution Services, uses?

4 A No.

5 Q Do you have any knowledge one way
6 or the other what appears on a credit card
7 statement if a payment is made to ARS Account
8 Resolution Services?

9 MR. STERN: Objection to the form.

10 A Can you repeat that?

11 Q Sure. Do you have any idea what
12 appears on your credit card statement if you
13 make a payment to ARS Account Resolution
14 Services?

15 MR. STERN: Same objection.

16 A I have no idea how to answer that.
17 It's pretty confusing.

18 Q Okay. Have you ever made a payment
19 to defendant?

20 A Not -- what defendant, ARS? The
21 Account Resolution Services?

22 Q Yes.

23 A I have no idea.

24 Q Okay. And have you ever received a
25 collection letter from the defendant?

WILLIAM LEVINS
LEVINS vs HEALTHCARE REVENUE RECOVERY

August 02, 2019
12

1 A I couldn't actually answer that.

2 Don't know.

3 Q Okay. Do you know how -- strike
4 that.

5 Do you know what name ARS Account
6 Resolution Services uses when it has
7 communications with the public?

8 A I do not.

9 Q Okay.

10 A I would assume it would be Account
11 Resolution Services.

12 Q What is the basis for that
13 assumption?

14 A You repeated it multiple times.

15 Q Other than me repeating it multiple
16 times, what is the basis for that assumption?

17 MR. STERN: Asked and answered.

18 MR. FRISCHBERG: Asked and
19 answered.

20 MR. STERN: You asked him the
21 question, he answered --

22 MR. SCHEUERMAN: He can still
23 answer.

24 Q Other than me repeating it -- it's
25 a different question.